



Request for City Council Committee Action from the Department of Community Planning and Economic Development

Date: April 4, 2013

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning and Planning Committee

Subject: Appeal of the decision of the City Planning Commission on March 4, 2013, to approve the following land use applications associated with a new 6-story mixed-use development on the properties located at 1500, 1506 and 1514 6th Street South; 1500, 1501, 1506, 1507, and 1515 5th Street South; 1505 and 1509 4th Street South.

Recommendation: The following actions were taken by the Planning Commission on March 4, 2013 (BZZ-5918, PL-273, and Vacation File #1608):

Five15 On the Park (formerly Currie Park Lofts) (BZZ-5918, PL-273 and Vac-1608, Ward: 2), 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S ([Becca Farrar](#)).

A. Conditional Use Permit: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a conditional use permit for a two-phase Planned Unit Development (PUD) with an alternative request for yards for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit for Phase I of a Planned Unit Development on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S. subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. As required by section 527.120 of the zoning code, the development shall comply with the standards for some combination of the following amenities from Table 527-1, Amenities and those proposed by the applicant totaling a minimum of 15 points: outdoor

open space, outdoor children's play area, reflective roof, decorative fencing, and a recycling storage area.

3. Fencing shall not be permitted along the east property that precludes pedestrians from utilizing the access easement.
4. The existing surface parking lot on the north side of the site will not require compliance with the design and maintenance provisions of Section 530.170 of the Zoning Code provided the applicant obtains approvals for Phase II of the PUD by March 4, 2016.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

B. Variance: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a variance of the interior/rear yard setbacks along the north property lines for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission adopted the findings and **approved** the application to allow a variance of the interior/rear yard setbacks along the north property lines to approximately 1 foot at the closest point to the building wall on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

C. Variance: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a variance of the interior/rear yard setbacks along the east property lines for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission adopted the findings and **approved** the application to allow a variance of the interior/rear yard setbacks along the east property lines to approximately 6 feet at the closest point for the building wall and to allow a transformer, and decks that exceed the allowable encroachment parameters on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

D. Variance: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a variance to allow a child care center in excess of 2,000 square feet at approximately 3,000 square feet for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Action: The City Planning Commission adopted the findings and **approved** the variance application to allow a child care center in excess of 2,000 square feet at approximately 3,000 square feet on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

E. Variance: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a variance of the Pedestrian-Oriented Overlay District standards pertaining to curb cut width from 20 feet to 29 feet for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission adopted the findings and approved the variance application of the Pedestrian-Oriented Overlay District standards pertaining to curb cut width from 20 feet to 24 feet on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

F. Variance: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a variance of the loading requirement to allow one small loading space for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission adopted the findings and approved the variance application of the loading requirement to allow one small loading space on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

G. Site Plan Review: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a site plan review for a new 6-story mixed-use development that includes 260 dwelling units with a total of 271 bedrooms and approximately 6,000 square feet of ground level neighborhood-serving retail spaces. A total of 242 off-street parking stalls are provided. The properties are zoned R6 (Multiple-family) District and are located in the Cedar-Riverside Transit Station Area (TSA), Pedestrian-Oriented (PO) Overlay District and University Area (UA) Overlay District at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission adopted the findings and approved the site plan application for a new 6-story mixed-use development that includes 260 dwelling units with a total of 271 bedrooms and approximately 6,000 square feet of ground level neighborhood-serving retail spaces on the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S subject to the following conditions:

1. All site improvements shall be completed by April 12, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED Staff review and approval of the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. The blank walls greater than 25 feet in width on the north and east elevations of the building shall be modified to incorporate architectural elements including recesses and projections, windows and entries per Section 530.120 of the Zoning Code.
4. Cement board shall not exceed more than 30% coverage on primary elevations of the proposed building and shall not exceed 60% on secondary elevations.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

H. Plat: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a preliminary plat for the properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission adopted the findings and **approved** the preliminary plat for properties located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

I. Vacation: Application by Fine Associates, on behalf of Currie Park Developments, LLC, for a vacation of three sidewalk easements (I, II and III) that run through the property located at 1500, 1506 and 1514 6th St S; 1500, 1501, 1506, 1507, and 1515 5th St S; 1505 and 1509 4th St S..

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the vacation application for two of the three sidewalk easements, II and III (Vacation File 1608) subject to the provision of an easement to Centurylink, and sidewalk easement I shall be maintained in order to ensure pedestrian access.

Aye: Cohen, Gagnon, Kronzer, Luepke-Pier, Schiff and Wielinski.

Recused: Tucker

Ward: 2

Prepared by: Becca Farrar-Hughes, Senior City Planner Approved by: Jason Wittenberg, Land Use, Preservation and Urban Design Manager Presenters in Committee: Becca Farrar-Hughes, Senior City Planner, 612-673-3594
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Community Impact:

Neighborhood Notification: Notice of the Planning Commission hearing was mailed on February 8, 2013, and notice of the appeal was mailed on March 25, 2013.

- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 120-day decision period: June 1, 2013
- Other: Not applicable

Background/Supporting Information:

Mohamed Abdullahi has filed an appeal of the City Planning Commission's decision on March 4, 2013, to approve land use applications associated with a new 6-story mixed-use development on the properties located at 1500, 1506 and 1514 6th Street South; 1500, 1501, 1506, 1507, and 1515 5th Street South; 1505 and 1509 4th Street South. The minutes from the October 29, 2012, City Planning Commission meeting are attached. The Planning Commission voted 6-0 for items A-I, to approve all land use applications.

The appellant is appealing all applications, except the vacation which cannot be appealed. The appellant's statement outlines reasons why the appeal should be granted and

correspondingly why the project should be denied. The appellant's complete statement is attached.